



PHILIP MORRIS

INCORPORATED

LAW DEPARTMENT  
PATENT SECTION

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February 24, 1981

George A. Depaoli  
Depaoli & O'Brien  
Suite 1005 - Crystal Mall 1  
1911 Jefferson Davis Highway  
Arlington, VA 22202

RE: PM 1019 - B-Hydroxy Esters as Tobacco Flavorants of  
Harvey Grubbs and Yoram Houminer  
Your file 81-2

Dear George:

In accordance with our discussion this morning, I checked with Dr. Houminer and he indicated that so far as he is aware, Example 6 is the only compound submitted that is not novel. The reference is U.S. Patent 4,036,237, to Teng. This compound was synthesized for comparative pyrolysis studies, and is, of course, outside the scope of the proposed claim.

Dr. Houminer and Mr. Grubbs have suggested additional representative examples embraced by proposed claim I. They are as follows:

- a) R=p-CH<sub>3</sub>-phenyl  
R<sub>1</sub> and R<sub>3</sub> = CH<sub>3</sub>  
R<sub>2</sub> = H  
R<sub>4</sub> = 1-carvyl
- b) R = p-CH<sub>3</sub>-phenyl  
R<sub>1</sub> = CH<sub>3</sub>  
R<sub>2</sub> = H  
R<sub>3</sub> = isopropyl  
R<sub>4</sub> = cinnamyl
- c) R = hexyl  
R<sub>1</sub> = CH<sub>3</sub>  
R<sub>2</sub> and R<sub>3</sub> = H  
R<sub>4</sub> = geranyl
- d) R = hexyl  
R<sub>1</sub> = CH<sub>3</sub>  
R<sub>2</sub> and R<sub>3</sub> = H  
R<sub>4</sub> = cyclohexyl

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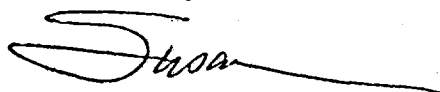
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- e) R = decyl ( $C_{10}$ )  
R<sub>1</sub> =  $C_2H_5$   
R<sub>2</sub> and R<sub>3</sub> = H  
R<sub>4</sub> = furfuryl (if definition of R<sub>4</sub> is expanded)
- f) R = phenyl  
R<sub>1</sub> =  $CH_3$   
R<sub>2</sub> and R<sub>3</sub> = H  
R<sub>4</sub> = amyl
- g) R = p- $CH_3O$ -phenyl  
R<sub>1</sub> =  $CH_3$   
R<sub>2</sub> = H  
R<sub>3</sub> =  $C_2H_5$   
R<sub>4</sub> = Butyl

Proposed Claim 1 is quite acceptable to us, however, we recommend that R<sub>4</sub> be expanded to include heterocyclic radicals, i.e. furfuryl.

We look forward to receiving the finished application in due course.

Sincerely



Susan A. Hutcheson

bjd

cc: T. Osdene  
T. Sanders  
H. Grubbs  
Y. Houminer

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